IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION.

CRIMINAL WRIT PETITION NO.559 OF 1999

Shivajirao Vishnu Nalawade : Petitioner.

versus

State of Maharashtra & Anr. : Respondent.

Mr.Balasaheb Balund h/f Mr.Uday Warunjikar for the petitioner.

Ms.Rajeshree Gadhavi, APP, for State.

CORAM : V.M.KANADE, J.

DATED : 30th January 2006.

P.C.

1. Heard learned counsel for the petitioner. He submits that the police has filed B-summary report before the Magistrate and the case has been closed on account of B-summary report and, as such the petition has become infructuous. He seeks permission to withdraw the petition as it has become infructuous. The writ petition is

allowed to be withdrawn as it has become infructuous. It is clarified that in the event the prosecution files its charge sheet, liberty is granted to the petitioner to challenge the filing of charge sheet.

[V.M.KANADE,J]